



REGION 8
1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

AUG 22 2013

Ref: 8TMS-FMP

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David M. Smith
Manager, Environmental Remediation
BNSF Railway Company
825 Great Northern Boulevard, Suite 105
Helena, MT 59601

Re: Response Costs Libby Asbestos Superfund Site, Operable Unit 6 (OU06),
Administrative Settlement Agreement and Order on Consent 08-2003-0004
(Agreement); SSID #08-BC06

Dear Mr. Smith:

The enclosed accounting is for costs incurred by the United States for response activities conducted at Operable Unit 06 of the Libby Asbestos Superfund (Site) under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended. Specifically, this accounting is submitted to you for payment pursuant to the Agreement in the above-referenced matter.

This billing is solely for recovery of Government response costs; any fines and/or civil penalties, if applicable, will be billed separately. Pursuant to Section XV of the above-referenced Agreement, EPA is due \$20,674.01 within 45 days of the date of receipt of this letter. This billing covers response costs incurred by the United States pursuant to the Agreement for the period 05/07/2003 through 09/30/2011. Please note that these costs are for Operable Unit 06 only. Pursuant to the Agreement, should payment not be made within the specified time frame, interest shall begin accruing at the rate of 0.78% per annum, which is the current interest rate. This interest accrues beginning with the date of this letter and continues to accrue on the unpaid balance until such costs and accrued interest have been paid in full. The interest rate changes October 1 of each fiscal year. Calculation of interest will be based on current interest rates.

Please note that this is a final billing for the above-referenced Agreement.

Payments must be received by 11:00 AM Eastern Time for same day credit and should be made payable to EPA - Hazardous Substances Superfund and forwarded to one of the addresses below. Payment, in the form of a cashier's check or certified funds, should be mailed to:

Regular Mail:

U. S. Environmental Protection Agency
Superfund Payments
Cincinnati Finance Center
P. O. Box 979076
St. Louis, MO 63197-9000

Federal Express, Airborne, etc.:

U. S. Bank
1005 Convention Plaza
SL-MO-C2GL
St. Louis, MO 63101
314-418-1028

Wire transfers:

Federal Reserve Bank of New York
ABA = 021030004
Account Number: 68010727

ACH Transactions:

PNC Bank/Remittance Express
ABA: 051036706
Account Number: 310006
CTX Format, Transaction Code 22, checking

On line payments:

WWW.PAY.GOV
Enter sfo 1.1 in the search field
Open form and complete required fields

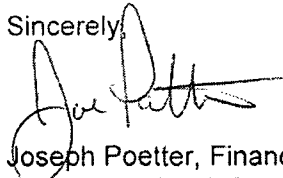
To ensure that your payment is properly recorded by EPA, the following information must be included on the face of your check or with your wire transfer:

Site Name: Libby Asbestos Site OU 6
Special Account
AR #: 2781326S0033
Site #: 08-BC, OU 06
Response Cost Billing

The above-mentioned agreement, states that "The total amount to be paid by the Respondent pursuant to Paragraph 35(a) shall be deposited in the Libby Asbestos Special Account within the EPA Hazardous Substance Superfund to be retained and used to conduct or finance response actions at or in connection with the Site, or to be transferred to the EPA Hazardous Substance Superfund."

Under the Superfund Administrative Reform on improving the management of PRP oversight, EPA has reaffirmed its commitment to continue to improve good working relationships with PRPs by maintaining an open dialogue about oversight expectations and PRP performance. Therefore, if you wish to discuss plans for oversight of ongoing or upcoming work at the Libby Asbestos Site, please contact Dania Zinner, Remedial Project Manager for OU 6, at (303) 312-7122. Any questions regarding this billing should be directed to Sharon Abendschan in the Technical Enforcement Program at (303) 312-6957, and any legal questions should be addressed to Lorraine Ross, Legal Enforcement Attorney, at (303) 312-6888. Thank you for our cooperation.

Sincerely,



Joseph Poetter, Financial Management Officer
Fiscal Planning & Planning Program

Enclosures

1. Bill for Collection
2. Scorpions Report for 05/07/2003-09/30/2011

cc: Dania Zinner, 8EPR-SR
Lorraine Ross, 8ENF-L
Sharon Abendschan, 8ENF-RC w/encl.
Dana Sherrer, NWD
Dianna Lim, 8EPR-PS



BILL FOR COLLECTION	BILL NO. 2781326S0033
BUREAU/OFFICE FOR REMITTANCE PAYABLE U.S. Environmental Protection Agency, Region VIII	DATE AUG 22 2013
ADDRESS FOR MAILING PAYMENT U.S. Bank, 1005 Convention Plaza, Mail Station SL-MO-C2GL, St. Louis, MO 63101	AMOUNT OF PAYMENT \$ 20,674.01

Payer

David M. Smith
Manager, Environmental Remediation
BNSF Railway Company
825 Great Northern Boulevard, Suite 105
Helena, MT 59601

DATE	DESCRIPTION	AMOUNT
	<p>This billing is for costs incurred by the United States for response activities conducted at Libby Asbestos Superfund Site, 08BC Operable Unit 06(OU06) under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Specifically, this bill is submitted to you for payment, pursuant to Administrative Settlement and Order on Consent for Remedial Action – Docket # CERCLA-08-2003-0004; Section XV, paragraph 35, Payment of Response Costs. This billing is response costs incurred for the time frame of 05/07/2003 through 09/30/2011.</p> <p>If full payment is not received within 45 days of the date of receipt of this bill, interest shall begin accruing on the balance at the annual rate of 0.78 percent per annum, beginning with the date of this bill. Interest will continue to accrue on the unpaid balance until such costs and accrued interest have been paid in full. The effective interest rate changes October 1 of each fiscal year. Calculation of interest will be based on current interest rates.</p>	\$ 20,674.01
<p><small>IMPORTANT: A receipt will be issued for all cash remittances and for all other remittances when required by applicable procedures. Failure to receive a receipt for cash payment should be promptly reported to the bureau or office shown above.</small></p>		<p>AMOUNT DUE</p> <p>\$ 20,674.01</p>

ORIGINAL BILLING

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Itemized Cost Summary

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

REGIONAL PAYROLL COSTS	\$6,400.92
ADMINISTRATIVE SUPPORT SERVICES	
ARSC MANAGEMENT SERVICES, INC (EPW05052)	\$39.87
INTERAGENCY AGREEMENT (IAG)	
DEPARTMENT OF TRANSPORTATION (DW69953884)	\$5,312.00
RESPONSE ACTION CONTRACT (RACS)	
CDM FEDERAL PROGRAMS CORP (EPW05049)	\$3,983.63
EPA INDIRECT COSTS	\$4,937.59
Total Site Costs:	<u>\$20,674.01</u>

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Regional Payroll Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Hours</u>	<u>Payroll Costs</u>
CHRISTIANSEN, JAMES	2003	22	2.00	96.85
Environmental Engineer		23	5.00	242.12
		26	3.00	155.38
	2004	21	2.00	108.55
		23	8.00	434.21
		24	2.00	108.57
		25	8.00	447.83
		26	3.00	167.93
		27	7.00	391.84
	2005	08	4.00	224.77
		09	2.00	116.84
			<u>46.00</u>	<u>\$2,494.89</u>
COHN, MATTHEW	2008	15	0.50	42.05
Supervisory General Attorney		16	15.50	1,303.24
		19	0.50	43.19
		20	1.50	129.57
		21	0.50	43.26
		24	2.50	215.94
			<u>21.00</u>	<u>\$1,777.25</u>
LAND, KELCEY	2008	17	3.50	226.09
Lead Environmental Protection Specialist			<u>3.50</u>	<u>\$226.09</u>
LENSINK, ANDREW	2010	12	2.50	228.17
General Attorney	2011	15	1.00	91.95
		22	2.50	229.88
		23	1.75	160.93
			<u>7.75</u>	<u>\$710.93</u>
ROSS, HANNAH	2008	20	16.00	323.98
Legal Intern		21	0.25	5.08
			<u>16.25</u>	<u>\$329.06</u>
THOMAS, REBECCA	2010	14	4.00	289.23

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Regional Payroll Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Hours</u>	<u>Payroll Costs</u>
Environmental Engineer(Rpm)	2011	22	5.00	364.58
			9.00	\$653.81
ZINNER, DANIA	2011	22	6.00	208.89
Student Trainee (Physical Sciences)			6.00	\$208.89
Total Regional Payroll Costs			109.50	\$6,400.92

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Contract Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

ADMINISTRATIVE SUPPORT SERVICES

Contractor Name: ARSC MANAGEMENT SERVICES, INC

EPA Contract Number: EPW05052

Delivery Order Information	<u>DO #</u>	<u>Start Date</u>	<u>End Date</u>
	130	04/26/2010	05/30/2010

Project Officer(s): MACLEISH, PHOEBE

Dates of Service: From: 04/26/2010 To: 05/30/2010

Summary of Service: ADMINISTRATIVE SUPPORT SERVICES

Total Costs: \$39.87

<u>Voucher Number</u>	<u>Voucher Date</u>	<u>Voucher Amount</u>	<u>Treasury Schedule Number and Date</u>	<u>Site Amount</u>
8	06/10/2010	119,700.82	R0854 07/09/2010	39.87
			Total:	<u>\$39.87</u>

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Contract Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

INTERAGENCY AGREEMENT (IAG)

Federal Agency: DEPARTMENT OF TRANSPORTATION

IAG Number: DW69953884

Project Officer(s): JOHNSON, KARREN

Dates of Service: From: To:

Summary of Service:

Total Costs: \$5,312.00

Voucher Number	Voucher Date	Voucher Amount	Treasury Schedule Number and Date	Site Amount
03802114	09/18/2004	600,000.00	270428911 09/30/2004	20,000.00
2769 2	04/20/2005	0.00	27050768 04/20/2005	-6,430.00
2769 2	08/25/2005	0.00	27051687 08/25/2005	-8,258.00
Total:				\$5,312.00

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Contract Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

RESPONSE ACTION CONTRACT (RACS)

Contractor Name: CDM FEDERAL PROGRAMS CORP
EPA Contract Number: EPW05049
Project Officer(s): POWELL, JUDITH
Dates of Service: From: 07/30/2011 To: 08/27/2011
Summary of Service: RESPONSE ACTION CONTRACT-SUBCLASS(REDI)
Total Costs: \$3,983.63

<u>Voucher Number</u>	<u>Voucher Date</u>	<u>Voucher Amount</u>	<u>Treasury Schedule Number and Date</u>	<u>Site Amount</u>
B01000	08/18/2011	1,099,066.82	ACHC11258 09/19/2011	92.70
B01100	09/13/2011	1,244,902.14	ACHC11270 09/29/2011	3,890.93
			Total:	<u>\$3,983.63</u>

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EPA Indirect Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

<u>Fiscal Year</u>	<u>Direct Costs</u>	<u>Indirect Rate(%)</u>	<u>Indirect Costs</u>
2003	494.35	37.12%	183.50
2004	21,658.93	32.79%	7,101.95
2005	-14,346.39	33.05%	-4,741.48
2008	2,332.40	32.90%	767.35
2009	345.00	34.92%	120.47
2010	212.27	28.67%	60.86
2011	5,039.86	28.67%	1,444.94
	<u>15,736.42</u>		
Total EPA Indirect Costs			<u>\$4,937.59</u>

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EPA Indirect Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
CHRISTIANSEN, JAMES	2003	22	96.85	37.12%	35.95
		23	242.12	37.12%	89.87
		26	155.38	37.12%	57.68
			494.35		\$183.50
Total Fiscal Year 2003 Payroll Direct Costs:			494.35		\$183.50
Total Fiscal Year 2003:			494.35		\$183.50

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
CHRISTIANSEN, JAMES	2004	21	108.55	32.79%	35.59
		23	434.21	32.79%	142.38
		24	108.57	32.79%	35.60
		25	447.83	32.79%	146.84
		26	167.93	32.79%	55.06
		27	391.84	32.79%	128.48
			1,658.93		\$543.95
Total Fiscal Year 2004 Payroll Direct Costs:			1,658.93		\$543.95

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EPA Indirect Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

OTHER DIRECT COSTS

Contract, IAG, SCA, Misc.NO	Voucher Number	Treasury Schedule Date	Site Amount	Annual/SMO Allocation Costs	Ind. Rate (%)	Indirect Costs
DW69953884	03802114	09/30/2004	20,000.00	0.00	32.79%	6,558.00
			20,000.00	0.00		\$6,558.00
Total Fiscal Year 2004 Other Direct Costs:			20,000.00	0.00		\$6,558.00
Total Fiscal Year 2004:			21,658.93			\$7,101.95

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
CHRISTIANSEN, JAMES	2005	08	224.77	33.05%	74.29
		09	116.84	33.05%	38.62
			341.61		\$112.91
Total Fiscal Year 2005 Payroll Direct Costs:			341.61		\$112.91

OTHER DIRECT COSTS

Contract, IAG, SCA, Misc.NO	Voucher Number	Treasury Schedule Date	Site Amount	Annual/SMO Allocation Costs	Ind. Rate (%)	Indirect Costs
DW69953884	2769 2	04/20/2005	-6,430.00	0.00	33.05%	-2,125.12

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EPA Indirect Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

OTHER DIRECT COSTS

Contract, IAG, SCA, Misc.NO	Voucher Number	Treasury Schedule Date	Site Amount	Annual/SMO Allocation Costs	Ind. Rate (%)	Indirect Costs
DW69953884	2769 2	08/25/2005	-8,258.00	0.00	33.05%	-2,729.27
			-14,688.00	0.00		\$-4,854.39
Total Fiscal Year 2005 Other Direct Costs:			-14,688.00	0.00		\$-4,854.39
Total Fiscal Year 2005:			-14,346.39			\$-4,741.48

PAYROLL DIRECT COSTS

Employee Name	Fiscal Year	Pay Period	Payroll Costs	Ind. Rate (%)	Indirect Costs
COHN, MATTHEW	2008	15	42.05	32.90%	13.83
		16	1,303.24	32.90%	428.77
		19	43.19	32.90%	14.21
		20	129.57	32.90%	42.63
		21	43.26	32.90%	14.23
		24	215.94	32.90%	71.04
			1,777.25		\$584.71
LAND, KELCEY	2008	17	226.09	32.90%	74.38
			226.09		\$74.38
ROSS, HANNAH	2008	20	323.98	32.90%	106.59

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EPA Indirect Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
ROSS, HANNAH	2008	21	5.08	32.90%	1.67
			329.06		\$108.26
Total Fiscal Year 2008 Payroll Direct Costs:			2,332.40		\$767.35
Total Fiscal Year 2008:			2,332.40		\$767.35

OTHER DIRECT COSTS

<u>Contract, IAG, SCA, Misc.NO</u>	<u>Voucher Number</u>	<u>Treasury Schedule Date</u>	<u>Site Amount</u>	<u>Annual/SMO Allocation Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
V97841901	810302402BV	08/13/2009	345.00	0.00	34.92%	120.47
			345.00	0.00		\$120.47
Total Fiscal Year 2009 Other Direct Costs:			345.00	0.00		\$120.47
Total Fiscal Year 2009:			345.00			\$120.47

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
LENSINK, ANDREW	2010	12	228.17	28.67%	65.42
			228.17		\$65.42

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EPA Indirect Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
THOMAS, REBECCA	2010	14	289.23	28.67%	82.92
			289.23		\$82.92

Total Fiscal Year 2010 Payroll Direct Costs:

517.40

\$148.34

OTHER DIRECT COSTS

<u>Contract, IAG, SCA, Misc.NO</u>	<u>Voucher Number</u>	<u>Treasury Schedule Date</u>	<u>Site Amount</u>	<u>Annual/SMO Allocation Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
EPW05052	8	07/09/2010	39.87	0.00	28.67%	11.43
			39.87	0.00		\$11.43
V97841901	810302402BV	05/04/2010	-345.00	0.00	28.67%	-98.91
			-345.00	0.00		\$-98.91

Total Fiscal Year 2010 Other Direct Costs:

-305.13

0.00

\$-87.48

Total Fiscal Year 2010:

212.27

\$60.86

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
LENSINK, ANDREW	2011	15	91.95	28.67%	26.36
		22	229.88	28.67%	65.91
		23	160.93	28.67%	46.14
			482.76		\$138.41

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EPA Indirect Costs

LIBBY ASBESTOS, LIBBY, MT SITE ID = 08 BC

Operable Unit(s): 06

FULL COST PACKAGE OU-06 CRP# 158595

ALL INCLUSIVE COSTS FROM 05/07/2003 THROUGH 09/30/2011

PAYROLL DIRECT COSTS

<u>Employee Name</u>	<u>Fiscal Year</u>	<u>Pay Period</u>	<u>Payroll Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
THOMAS, REBECCA	2011	22	364.58	28.67%	104.53
			364.58		\$104.53
ZINNER, DANIA	2011	22	208.89	28.67%	59.89
			208.89		\$59.89
Total Fiscal Year 2011 Payroll Direct Costs:			1,056.23		\$302.83

OTHER DIRECT COSTS

<u>Contract, IAG, SCA, Misc.NO</u>	<u>Voucher Number</u>	<u>Treasury Schedule Date</u>	<u>Site Amount</u>	<u>Annual/SMO Allocation Costs</u>	<u>Ind. Rate (%)</u>	<u>Indirect Costs</u>
EPW05049	B01000	09/19/2011	92.70	0.00	28.67%	26.58
	B01100	09/29/2011	3,890.93	0.00	28.67%	1,115.53
			3,983.63	0.00		\$1,142.11
Total Fiscal Year 2011 Other Direct Costs:			3,983.63	0.00		\$1,142.11
Total Fiscal Year 2011:			5,039.86			\$1,444.94

Total EPA Indirect Costs

\$4,937.59